

Patent
030639.0044.CPA1

Handwritten initials

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Duft et al.

Group Art Unit: 1645

Serial No.: 09/445,517

Examiner: Devi, Sarvamangala J N

Filed: December 6, 1999

Title: METHODS FOR TREATING OBESITY

SEP - 7 2004

Box DAC
Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2800

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

A Notice of Abandonment was mailed by the Patent Office on January 5, 2003, for the above-captioned application. As it is believed that this application stands abandoned due to an error on the part of the Patent Office, Applicants hereby petition for withdrawal of the holding of abandonment.

Alternatively, Applicants petition for revival of this application under 37 C.F.R. §1.137(b), as the entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition under 37 C.F.R. §1.137(b) was unintentional. As this application was filed after June 8, 1995, it is believed that a terminal disclaimer is not required with this petition.

Although previously filed, for the convenience of the Patent Office Applicants hereby attach another copy the following documents filed on December 5, 2002:

1. Transmittal Letter;
2. Petition for a Three-Month Extension of Time;
3. Fee Transmittal for FY 2003 (PTO/SB/17);
4. Response to Office Action; and
5. Declaration under 37 C.F.R. § 1.131.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8(a))

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on January 21, 2003, with sufficient postage, as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Laura V. Largey


Laura V. Largey

Also attached is a copy of the Express Mail receipt indicating that these documents were mailed from the Midway Post Office in San Diego, California, on December 5, 2002. If any further information is desired, please notify Applicants' undersigned representative.

In conclusion, Applicants do not believe that any fee is due with this Petition, as the Notice of Abandonment was received on the basis of a Patent Office error. However, if any fee is required, the Commissioner is authorized to charge Deposit Account No. 50-1273 for the appropriate amount.

Respectfully Submitted on behalf of Duft et al.,

Dated: 1-21-03

By: 
Lisa M. Griffith
Reg. No. 41,185

Brobeck, Phleger & Harrison LLP
12390 El Camino Real
San Diego, CA 92130-2081
Telephone Number: (858)720-2500
Facsimile Number: (858)720-2555

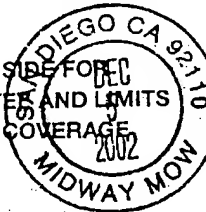
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Serial No.: 09/445,517
Attorney: Bradford J. Duft

Filed: December 6, 1999
Express Mail No.: EL675947222US

METHODS FOR TREATING OBESITY

Docket No.: 030639.0044.CPA1
Enclosure(s): Response to Office Action; Transmittal Letter; Petition for a Three-Month Extension of Time; Fee Transmittal for FY 2003 (PTO/SB/17); Declaration under 37 C.F.R. § 1.131; and Return Postcard.



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Patent
030639.0044.CPA2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Duft et al.

Group Art Unit: 1645

Serial No.: 08/870,762

Examiner: Devi, Sarvamangala J N

Filed: June 6, 1997

Title: METHODS FOR TREATING OBESITY

Commissioner for Patents
Washington, D.C. 20231

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TRANSMITTAL LETTER

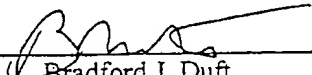
Dear Sir:

Enclosed are the following documents:

1. Response to Office Action;
2. Petition for a Three-Month Extension of Time;
3. Fee Transmittal for FY 2003 (PTO/SB/17);
4. Declaration under 37 C.F.R. § 1.131;
5. Return postcard.

Respectfully Submitted,

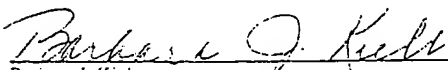
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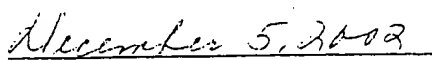

Bradford J. Duft
Reg. No. 32,219

Brobeck, Phleger & Harrison LLP
12390 El Camino Real
San Diego, CA 92130-2081

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(37 C.F.R. § 1.8a)

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Barbara J. Kiehl


Date

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**